

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Ralph Weichselbaum et al.

Confirmation No. 1056

Application No.: 09/964,042

Art Unit: 1635

Filed: September 26, 2001

Examiner: J. E. Angell

For: TREATMENT OF TUMORS WITH  
GENETICALLY ENGINEERED HERPES  
VIRUS

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**RESPONSE TO OFFICE COMMUNICATION OF FEBRUARY 7, 2008**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the non-final Office Action mailed February 7, 2008. This response is timely filed in view of the petition and fee for an extension of time filed herewith.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.